

Message

From: Perkins, Erin [Perkins.Erin@epa.gov]
Sent: 6/18/2020 11:00:54 PM
To: Robinson, Valois [Robinson.Valois@epa.gov]; McCoy, Melissa [mccoy.melissa@epa.gov]
CC: Strobel, Philip [Strobel.Philip@epa.gov]; Joffe, Brian [Joffe.Brian@epa.gov]; Chin, Lucita [Chin.Lucita@epa.gov]
Subject: RE: DB NRC documents

Thanks much Valois! This is really helpful!

From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Thursday, June 18, 2020 2:13 PM
To: McCoy, Melissa <mccoy.melissa@epa.gov>
Cc: Strobel, Philip <Strobel.Philip@epa.gov>; Joffe, Brian <Joffe.Brian@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>
Subject: RE: DB NRC documents

Thanks, Erin!

Hi Melissa,
Welcome to the Dewey-Burdock team. We really appreciate your help with this effort!

I have saved the NRC SEIS on the I: drive at:
<I:\30 Day Share\Valois\Dewey Burdock\NRC Documents\SEIS>
I saved the EPA NEPA program review letters to the NRC on the draft and final SEIS and the NRC Record of Decision in this folder.

The SEIS is also accessible from the NRC website:
<https://www.nrc.gov/docs/ML1402/ML14029A406.html>
The top two files on the list are Volumes 1 and 2 of the SEIS.

Volume 2, Appendix E has the public comments on the draft SEIS and NRC's response to comments.

The NRC case documents can be found on the NRC Electronic Hearing Docket at: <https://adams.nrc.gov/ehd>
I am not able to reach this website with my EPA laptop. Something about our firewall blocks this site. I have to use my personal laptop to access this site. I hope you have better luck, so you don't have to use your personal laptop. Once you access the site, you scroll down the left panel to find Powertech. Then expand the subfolders to view the document list in the main screen.

I have attached a screen shot for an exciting preview of coming attractions!
I found this user guide for the Electronic Hearing Docket: <https://www.nrc.gov/docs/ML1134/ML11346A249.pdf>.
I just found it today, so I haven't actually read it myself.

I was thinking it might be helpful to review these two decision documents issued by the Atomic Safety and Licensing Board to provide some background for the NEPA process. The references are helpful and you can locate referenced documents on the NRC website using the ADAMS accession #. e.g. ML14024A477.
I use this website and search on the accession #: <https://www.nrc.gov/reading-rm/adams.html>

I'm not sure if you will be working with our Cumulative Effects Analysis. In case you are, I thought I would include the UIC regs related to the CEA. An Area Permit covers more than one injection well.

§144.33 Area permits.

(c) The area permit may authorize the permittee to construct and operate, convert, or plug and abandon wells within the permit area provided:

(3) The cumulative effects of drilling and operation of additional injection wells are considered by the Director during evaluation of the area permit application and are acceptable to the Director.

(d) If the Director determines that any well constructed pursuant to paragraph (c) of this section does not satisfy any of the requirements of paragraphs (c) (1) and (2) of this section the Director may modify the permit under §144.39, terminate under §144.40, or take enforcement action. If the Director determines that cumulative effects are unacceptable, the permit may be modified under §144.39.

§144.39 Modification or revocation and reissuance of permits.

(a) Causes for modification. The following are causes for modification. For Class I hazardous waste injection wells, Class II, Class III or Class VI wells the following may be causes for revocation and reissuance as well as modification; and for all other wells the following may be cause for revocation or reissuance as well as modification when the permittee requests or agrees.

(2) Information. The Director has received information. Permits other than for Class II and III wells may be modified during their terms for this cause only if the information was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and would have justified the application of different permit conditions at the time of issuance. For UIC area permits (§144.33), this cause shall include any information indicating that cumulative effects on the environment are unacceptable.

Lucita will be back in the office on Monday to answer legal questions. Meanwhile, please feel free to ask me questions.

Valois

Valois Robinson
EPA Region 8
Underground Injection Control Program
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-6276
robinson.valois@epa.gov

From: Perkins, Erin <Perkins.Erin@epa.gov>
Sent: Thursday, June 18, 2020 10:03 AM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Cc: Strobel, Philip <Strobel.Philip@epa.gov>; McCoy, Melissa <mccoy.melissa@epa.gov>; Joffe, Brian <Joffe.Brian@epa.gov>
Subject: DB NRC documents

Hi Valois –

By this email, I'm introducing you to Melissa McCoy who works in the NEPA program and has graciously agreed to help us on the DB NEPA issues. Could you please send a link to us of the NRC NEPA FEIS and any supplemental EIS documents they may have issued? I will work with Lucita in getting the NRC case law to Melissa so she can review that as well. Please let us know if you have any questions.

Thanks,
Erin